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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEREMY SCOTT BECKER,

Defendant.

Case No. 2:04-cr-00186-JCM

Government's Motion to Unseal ECF Nos. 60, 61, 71, and 72

The government respectfully moves to unseal ECF Nos. 60, 61, 71, and 72. Unsealing these docket entries – which appear to relate to defendant Jeremy Scott Becker’s sentencing in 2005 – is necessary for the government to respond to the Motion to Withdraw Guilty Plea recently filed by defendant Becker. In addition, there is no longer a need to keep these entries under seal.¹ The government further requests that the Court grant it 14 days from the unsealing of these entries to respond to Becker’s Motion.

¹ Prior to filing this motion, undersigned government counsel contacted defense counsel, who does not oppose unsealing the subject docket entries.

Memorandum of Points and Authorities

On September 17, 2021, defendant Jeremy Scott Becker filed a motion through counsel to withdraw the guilty plea that he entered in this case in 2005. ECF No. 103 (the “Motion”). In support of that relief, the Motion refers to various events related to Becker’s guilty plea and sentencing. Notably, the Motion argues in part that Becker was never sentenced, presumably based on a review of the docket entries (or absence of docket entries) relating to Becker’s sentencing. *See* Motion at 4, 6-7.

After learning of Becker's Motion, undersigned counsel contacted the Clerk's Office to inquire about the existence of any sealed docket entries relating to Becker's sentencing.² The Clerk's Office informed the government that several docket entries apparently relating to Becker's sentencing had been sealed. *See* ECF Nos. 60 (defendant's sentencing memorandum); 61 (motion for departure); 71 (minutes of sentencing); and 72 (judgment).

The government moves this Court to unseal those docket entries. First, these entries relate directly to the issues raised in the Motion, particularly whether or not Becker was sentenced and the events surrounding that sentencing. Thus, they are necessary for the government to adequately respond to the Motion. Second, the government is not aware of any

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² Given the age of this case and that the attorneys who prosecuted it no longer work in the U.S. Attorney's Office, the government did not learn of Becker's Motion until on or about October 4, when defense counsel inquired as to the status of the Motion.

1 basis for these entries – which are now 16 years old – to remain sealed, and defense counsel
2 does not oppose them being unsealed.

3 DATED: October 13, 2021

4 Respectfully submitted,

5 CHRISTOPHER CHIOU
6 Acting United States Attorney

7 /s/ Daniel Clarkson

8 DANIEL CLARKSON
9 Assistant United States Attorney

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8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,
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12 JEREMY SCOTT BECKER,
13 Defendant.

Case No. 2:04-cr-00186-JCM

ORDER TO UNSEAL
ECF Nos. 60, 61, 71, and 72

14 This matter coming on the Motion of the Government, and good cause appearing
15 therefore, IT IS HEREBY ORDERED that ECF Nos. 60, 61, 71, and 72 shall be unsealed. IT
16 IS HEREBY FURTHER ORDERED that the government shall have 14 days from the entry
17 of this Order to respond the Defendant's Motion to Withdraw Guilty Plea.

18 **IT IS SO ORDERED:**

19 **DATED** October 20, 2021.

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21 HONORABLE JAMES C. MAHAN
22 UNITED STATES DISTRICT JUDGE